



**PROPOSED RULE MAKING
(RCW 34.05.320)**

CR-102 (7/22/01)
**Do NOT use for expedited
rule making**

Agency: Department of Labor and Industries

- ☒ Preproposal Statement of Inquiry was filed as WSR 02-09-091 ; or
☐ Expedited Rule Making -- Proposed notice was filed as WSR _____; or
☐ Proposal is exempt under RCW 34.05.310(4).

- ☒ Original Notice
☐ Supplemental Notice
to WSR _____
☐ Continuance of WSR _____

(a) Title of rule: Chapter 296-831 WAC, Cranes, Derricks, and Other Lifting Equipment. Chapter 296-24 WAC, General Safety and Health Standards

Purpose: The Cranes and Derricks standards are being rewritten and reorganized for clarity and ease of use for employers and employees. This rulemaking is part of our clear rule writing initiative to rewrite for clarity all the safety and health rules.

Outdated requirements are being updated to reflect current consensus standards for the industry. Language that is difficult to understand and outmoded has been rewritten for clarity and ease of use.

(b) Statutory authority for adoption: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060

Statute being implemented: Chapter 49.17 RCW

(c) Summary: The Department of Labor and Industries is proposing to clarify requirements relating to cranes, derricks, and other lifting equipment. **See attachment (a)**

(d) Name of Agency Personnel Responsible for:
1. Drafting.....Tracy Spencer

Office Location
Tumwater

Telephone
360-902-5530

2. Implementation.... Michael A. Silverstein

Tumwater

360-902-5495

3. Enforcement..... Michael A. Silverstein

Tumwater

360-902-5495

(e) Name of proponent: Department of Labor and Industries

- ☐ Private
☐ Public
☒ Governmental

(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement and fiscal matters:
None

(g) Is rule necessary because of:

- | | | |
|-------------------------|------------------------------|--|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

(h) HEARING LOCATION:

Date: August 26th, 2003 Time: 1:00 p.m.
Department of Labor and Industries Building
7273 Linderson Way SW, Auditorium
Tumwater, WA

Date: August 28th, 2003 Time: 1:00 p.m.
Department of Labor and Industries Building
901 N. Monroe Street, Suite 100
Spokane, Washington

Assistance for persons with disabilities: Contact
Sally Elliott by August 7, 2003 at 360-902-5484

Submit written comments to:

Kimberly Johnson
WISHA Services Division
PO Box 44620
Olympia, WA 985-4-4620
E-mail rhok235@lni.wa.gov
FAX (360) 902-5529 By September 4, 2003

DATE OF INTENDED ADOPTION: November 1, 2003

CODE REVISER USE ONLY

WSR # 03-14-025

NAME (TYPE OR PRINT)

Paul Trause

SIGNATURE

TITLE

Director

DATE

June 27, 2003

(j) Short explanation of rule, its purpose, and anticipated effects:

The Department of Labor and Industries is proposing to clarify requirements relating to cranes, derricks, and other lifting equipment. This rulemaking is part of our clear rule writing initiative to rewrite for clarity all the safety and health rules. **See attachment (a)**

Does proposal change existing rules? ☒ YES ☐ NO

If yes, describe changes:

Some requirements were updated to current industry consensus standards.

(k) Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

☒ No. Explain why no statement was prepared

The agency has rewritten requirements to clarify and better organize existing language of chapter 296-24 WAC, Part D, Materials Handling and Storage, Including Cranes, Derricks, etc. and Rigging, without changing its effect. The clarified requirements are being published as chapter 296-831, Cranes, Derricks and Other Lifting Equipment. As such, a SBEIS is not required per RCW 34.05.310(4)(d).

We are also incorporating, without material change, national consensus code requirements. RCW 34.05.310(4)(c) exempts the agency from conducting a SBEIS under such conditions.

(l) Does RCW 34.05.328 apply to this rule adoption? ☒ Yes ☐ No

Please explain: This rule is exempt under RCW 34.05.328(5)(b) since it only corrects typographical errors and clarifies language without changing its effect. We are also incorporating, without material change, national consensus code requirements. The proposal does not increase requirements.